

602 KAR 50:070. Standards for determining obstructions.

RELATES TO: KRS 183.868, 14 C.F.R. Part 77

STATUTORY AUTHORITY: KRS 183.861, 183.868

NECESSITY, FUNCTION, AND CONFORMITY: KRS 183.861 allows the Kentucky Airport Zoning Commission to regulate the use of land within and around all public use and military airports within Kentucky. This administrative regulation is promulgated to establish standards for determining obstructions to air navigation.

Section 1. Standards for Determining Obstructions. A permanent or temporary object shall be an obstruction to air navigation if it is of greater height than any of the following heights or penetrates any of the following surfaces:

(1) A height of more than 500 feet above ground level at the site of the object.

(2)(a) A height that is more than 200 feet above ground level or above the established airport elevation, whichever is higher, within three (3) nautical miles of the established reference point of a public use and military airports, which has at least one (1) runway of more than 3,200 feet in actual length.

(b) Beyond three (3) nautical miles, that height increases in the proportion of 100 feet for each additional nautical mile of distance from the airport reference point up to a maximum of 500 feet.

(3) A height within a terminal obstacle clearance area, including an initial approach segment, a departure area, and a circling approach area, which would result in the vertical distance between any point on the permanent or temporary structure or object and an established minimum instrument flight altitude within that area or segment to be less than the required obstacle clearance.

(4) A height within an en route obstacle clearance area, including turn and termination areas, of a federal airway or approved off-airway route, that would increase the minimum obstacle clearance altitude.

(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under 602 KAR 50:010, Section 2 including those identified in "U.S. Terminal Procedures, Southeast Volume 1 of 4".

Section 2. 14 CFR Part 77. (1) The Kentucky Airport Zoning Commission adopts 14 CFR Part 77, Sections 77.21 through 77.25, Objects Affecting Navigable Airspace, as effective on April 1, 1997.

(2) 14 CFR Part 77, Sections 77.21 through 77.25 shall govern the determination of an obstruction to safe air navigation in any instance not specified in this administrative regulation.

Section 3. Incorporation by Reference. (1) The publication of the U.S. Department of Commerce, National Oceanic and Atmospheric Administration "U.S. Terminal Procedures, Southeast Volume 1 of 4" effective August 10, 2000 is incorporated by reference.

(2) This material may be inspected or copied from the Zoning Administrator, Transportation Cabinet, Division of Aeronautics, Kentucky Airport Zoning Commission, 200 Mero Street, Station: W3-09-02, Frankfort, Kentucky 40622, Monday through Friday, 8 a.m. to 4:30 p.m. The telephone number is (502) 564-4480. The fax number is (502) 564-7953.

(3) A copy of the material incorporated by reference may be obtained from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Ocean Service, NOAA, N/CG33, Distribution Branch, Riverdale, Maryland 20737. The telephone number is (301) 436-6993. (KAV-14; 1 Ky.R. 807; eff. 5-14-1975; 2 Ky.R. 307; eff. 3-10-1976; 5 Ky.R. 599; eff. 3-7-1979; 10 Ky.R. 447; 770; eff. 1-4-1984; 19 Ky.R. 803; eff. 11-4-1992; 23 Ky.R. 4218; eff. 8-11-1997; 27 Ky.R. 2231; 2776; eff. 4-9-2001; Crt eff. 3-26-2019.)